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Attorneys for Defendants
PROTIVA BIOTHERAPEUTICS, INC.
and MARK J. MURRAY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SIRNA THERAPEUTICS, INC.,

Plaintiff,

v.

PROTIVA BIOTHERAPEUTICS, INC.,
and MARK J. MURRAY,

Defendants.

Case No. C 06-01361 MMC

**STIPULATION AND ~~PROPOSED~~
ORDER TO FURTHER EXTEND
DEFENDANTS' TIME TO ANSWER
OR OTHERWISE RESPOND TO THE
AMENDED COMPLAINT**

1 The parties herein, by and through their counsel of record, hereby stipulate and agree as
2 follows:

3 WHEREAS plaintiff filed its Amended Complaint on April 25, 2006;

4 WHEREAS the current deadline for defendants to answer or otherwise respond to the
5 Amended Complaint is July 6, 2006;

6 WHEREAS the parties are currently negotiating in good faith to resolve their dispute
7 without legal recourse, the parties respectfully request the Court to extend the defendants' time
8 to answer or otherwise respond to the Amended Complaint to July 21, 2006.

9 NOW, THEREFORE, the parties request that the Court order the following:

10 Defendants' last day to answer or otherwise respond to the Amended Complaint is
11 July 21, 2006.

12 SO STIPULATED.

13
14 Dated: June 30, 2006

O'MELVENY & MYERS LLP

15
16 By: /s/ Meredith N. Landy
Meredith N. Landy

17
18 Attorneys for Plaintiff
SIRNA THERAPEUTICS, INC.

19
20 Dated: June 30, 2006

ORRICK, HERRINGTON & SUTCLIFFE LLP

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22 By: /s/ Elizabeth A. Howard
Elizabeth A. Howard

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24 Attorneys for Defendants
PROTIVA BIOTHERAPEUTICS, INC.
25 and MARK J. MURRAY

26 / / /

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CERTIFICATION OF CONCURRENCE

I hereby attest that concurrence in the filing of this document has been obtained from counsel for defendants, Elizabeth A. Howard.

Dated: June 30, 2006

O'MELVENY & MYERS LLP

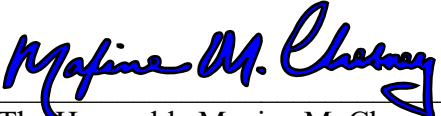
By: /s/ Meredith N. Landy
Meredith N. Landy

Attorneys for Plaintiff
SIRNA THERAPEUTICS, INC.

ORDER

IT IS SO ORDERED.

Dated: July 5, 2006


The Honorable Maxine M. Chesney
United States District Judge

MP1:983855.1